

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

&

THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

MONDAY, THE 17TH DECEMBER 2007 / 26TH AGRAHAYANA 1929

LA.App..No. 1288 of 2002(B)

LAR.184/1997 of ADDL.SUB COURT,KOTTAYAM

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APPELLANT: RESPONDENT

STATE OF KERALA.

BY GOVERNMENT PLEADER SRI. K.V. MANOJKUMAR.

RESPONDENTS: CLAIMANT

**THOMEN JOSEPH, KURISHUMMOOTTIL,
THIRUVAMPADY, NJEEZHOO VILLAGE, VAIKOM TALUK.**

**BY ADV. SRI.R.PARTHASARATHY
SRI.ROY GEORGE**

**THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD
ON 17/12/2007, ALONG WITH L.A.A. 706/03 AND CONNECTED
CASES, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A. NO. 1288 OF 2002

**L.A.A. NOS. 650, 653, 655, 663, 706, 722 &
912 OF 2003**

**L.A.A. NOS. 272, 369, 405, 637, 668, 771,
787, 827, 895, 909 & 1025 OF 2004**

**L.A.A. NOS. 3, 212, 468, 497, 528, 563, 582,
688, 974, 1041, 1053, 1118, 1134, 1146,
1167, 1182, 1199, 1217, 1272, 1293, 1306, 1322,
1340, 1429, 1430, 1438 & 1446 OF 2005**

**L.A.A. NOS. 32, 168, 268, 273, 346, 356, 374,
410 & 596 OF 2006 &**

L.A.A. NOS. 944 & 1021 OF 2007

Dated this the 17th day of December, 2007.

J U D G M E N T

Kurian Joseph, J.

All the applications for condonation of delay are allowed.

These appeals are filed by the State aggrieved by the fixation of land value by the reference court. Acquisition is for the purpose of Muvattupuzha Valley Irrigation Project. The land value fixed by the reference court is only at the rate of 60% over the value fixed by the reference court. It is not in dispute that fixation at the rate of 60% has already been sustained by this Court in several cases. Therefore, these appeals are dismissed.

All the interlocutory applications for stay are dismissed.

KURIAN JOSEPH, JUDGE

HARUN-UL-RASHID, JUDGE

**KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.**

L.A.A. NO. 1288 OF 2002

**L.A.A. NOs.650, 653, 655, 663, 706,
722 & 912 OF 2003**

**L.A.A. NOs. 272, 369, 405, 637, 668,
771, 787, 827, 895, 909 & 1025 OF 2004**

**L.A.A. NOs. 3, 212, 468, 497, 528, 563,
582, 688, 974, 1041, 1053, 1118, 1134,
1146, 1167, 1182, 1199, 1217, 1272, 1293,
1306, 1322, 1340, 1429, 1430, 1438 &
1446 OF 2005**

**L.A.A. NOs. 32, 168, 268, 273, 346, 356,
374, 410 & 596 OF 2006
&**

L.A.A. NOs. 944 & 1021 OF 2007

J U D G M E N T

17.12.2007